

A-8753W

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Gerald J. BANKS

Appln. No.: 10/742,890

Group Art Unit: 2824

Filed: December 23, 2003

Examiner: H. Nguyen

For: MEMORY APPARATUS INCLUDING PROGRAMMABLE NON-VOLATILE
MULTI-BIT MEMORY CELL, AND APPARATUS AND METHOD FOR
DEMARCATING MEMORY STATES OF CELL

RECEIVED

Allowed: May 18, 2004

DEC 10 2004

Confirmation No.: 7102

OFFICE OF PETITIONS

* * *

PETITION UNDER 37 C.F.R. § 1.313(c)(2)
TO WITHDRAW APPLICATION FROM ISSUE

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.313(c)(2), it is respectfully requested that the subject application be withdrawn from issue in favor of the accompanying Request for Continued Examination. The issue fee was paid in the subject application on August 18, 2004.

The withdrawal of the subject application is needed to enable the consideration of documents cited in a related Japanese application subsequent to payment of the issue fee in the present case. The documents are cited in the Information Disclosure Statement which accompanies the Request for Continued Examination.

12/13/2004 AKELLEY 00000018 10742890

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130.00 OP

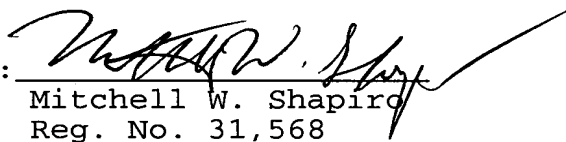
Reg'n. Ref: 12/13/2004 AKELLEY 0000485800
DAH:501165 Name/Number:10742890
FC: 9204 \$70.00 CR

The Office is respectfully requested to inform the undersigned promptly by telephone at (703) 610-8652 when this Petition has been considered.

A check for \$200.00 is attached to cover the fee for this Petition.

The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account.

Respectfully submitted,

By: 
Mitchell W. Shapiro
Reg. No. 31,568

MWS:sjk

Miles & Stockbridge P.C.
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McLean, VA 22102-3833
703-903-9000

December 9, 2004